

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1001(ss) be amended to read as follows:

- 1       Page 207, delete lines 28 through 42, begin a new paragraph and  
2       insert:  
3       "SECTION 220. IC 6-6-1.1-201 IS AMENDED TO READ AS  
4       FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 201. A license tax  
5       of fifteen cents (\$0.15) per gallon is imposed on the use of all gasoline  
6       used in Indiana, except as otherwise provided by this chapter. **The rate**  
7       **of the tax is:**  
8       **(1) eighteen cents (\$0.18) per gallon on gasoline used in**  
9       **Indiana during 2003;**  
10       **(2) twenty cents (\$0.20) per gallon on gasoline used in Indiana**  
11       **during 2004; and**  
12       **(3) twenty-two cents (\$0.22) per gallon on gasoline used in**  
13       **Indiana after 2004.**  
14       The distributor shall initially pay the tax on the billed gallonage of all  
15       gasoline the distributor receives in this state, less any deductions  
16       authorized by this chapter. The distributor shall then add the per gallon  
17       amount of tax to the selling price of each gallon of gasoline sold in this  
18       state and collected from the purchaser so that the ultimate consumer  
19       bears the burden of the tax.  
20       SECTION 221. IC 6-6-1.1-801.5 IS AMENDED TO READ AS  
21       FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 801.5. (a) The  
22       administrator shall transfer ~~one-fifteenth (1/15)~~ **the following amounts**

of the taxes that are collected under this chapter to the state highway road construction and improvement fund:

(1) Two eightieths (2/18) of the taxes that are collected under this chapter during 2003.

(2) Two twentieths (2/20) of the taxes that are collected under this chapter during 2004.

(3) Two twenty-seconds (2/22) of the taxes that are collected under this chapter after 2004.

(b) The administrator shall transfer the following amounts of taxes that are collected under this chapter to the state highway fund:

(1) One eighteenth (1/18) of the taxes that are collected under this chapter during 2003.

(2) Two twentieths (2/20) of the taxes that are collected under this chapter during 2004.

(3) Three twenty-seconds (3/22) of the taxes that are collected under this chapter after 2004.

(c) The administrator shall transfer the following amounts of taxes that are collected under this chapter to the auditor of state for distribution to counties, cities, and towns:

(1) One eighteenth (1/18) of the taxes that are collected under this chapter during 2003.

(2) Two twentieths (2/20) of the taxes that are collected under this chapter during 2004.

(3) Three twenty-seconds (3/22) of the taxes that are collected under this chapter after 2004.

The auditor of state shall distribute the amounts described in this subsection to each of the counties, cities, and towns eligible to receive a distribution from the motor vehicle highway account under IC 8-14-1 and in the same proportion among the counties, cities, and towns as funds are distributed from the motor vehicle highway account under IC 8-14-1. Money distributed under this subsection may be used only for purposes that money distributed from the motor vehicle highway account may be expended under IC 8-14-1.

~~(b)~~ (d) After the ~~transfer~~ transfers required by ~~subsection~~ subsections (a) through (c), the administrator shall transfer the next twenty-five million dollars (\$25,000,000) of the taxes that are collected under this chapter and received during a period beginning July 1 of a year and ending June 30 of the immediately succeeding year to the auditor of state for distribution in the following manner:

(1) thirty percent (30%) to each of the counties, cities, and towns eligible to receive a distribution from the local road and street account under IC 8-14-2 and in the same proportion among the counties, cities, and towns as funds are distributed under IC 8-14-2-4;

(2) thirty percent (30%) to each of the counties, cities, and towns

1 eligible to receive a distribution from the motor vehicle highway  
 2 account under IC 8-14-1 and in the same proportion among the  
 3 counties, cities, and towns as funds are distributed from the motor  
 4 vehicle highway account under IC 8-14-1; and

5 (3) forty percent (40%) to the Indiana department of  
 6 transportation.

7 ~~(c)~~ (e) The auditor of state shall hold all amounts of collections  
 8 received under subsection ~~(b)~~ (d) from the administrator that are made  
 9 during a particular month and shall distribute all of those amounts  
 10 pursuant to subsection ~~(b)~~ (d) on the fifth day of the immediately  
 11 succeeding month.

12 ~~(d)~~ (f) All amounts distributed under subsection ~~(b)~~ (d) may only be  
 13 used for purposes that money distributed from the motor vehicle  
 14 highway account may be expended under IC 8-14-1."

15 Page 208, delete lines 1 through 37.

16 Page 217, delete lines 39 through 42.

17 Delete pages 218 through 219.

18 Page 220, delete lines 1 through 2.

19 Page 225, between lines 35 and 36, begin a new paragraph and  
 20 insert:

21 "SECTION 241. IC 8-23-9-54 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 54. (a) To provide  
 23 funds for carrying out the provisions of this chapter, there is created a  
 24 state highway fund from the following sources:

25 (1) All money in the general fund to the credit of the state  
 26 highway account.

27 (2) All money that is received from the Department of  
 28 Transportation or other federal agency and known as federal aid.

29 (3) All money paid into the state treasury to reimburse the state  
 30 for money paid out of the state highway fund.

31 (4) All money provided by Indiana law for the construction,  
 32 maintenance, reconstruction, repair, and control of public  
 33 highways, as provided under this chapter.

34 (5) All money that on May 22, 1933, was to be paid into the state  
 35 highway fund under contemplation of any statute in force as of  
 36 May 22, 1933.

37 (6) All money that may at any time be appropriated from the state  
 38 treasury.

39 (7) Any part of the state highway fund unexpended at the  
 40 expiration of any fiscal year, which shall remain in the fund and  
 41 be available for the succeeding years.

42 (8) Any money credited to the state highway fund from the motor  
 43 vehicle highway account under IC 8-14-1-3(4).

44 (9) Any money credited to the state highway fund from the  
 45 highway road and street fund under IC 8-14-2-3.

46 (10) Any money credited to the state highway fund under

- 1           **IC 6-6-1.1-801.5**, IC 6-6-4.1-5, or IC 8-16-1-17.1.
- 2           (b) All expenses incurred in carrying out this chapter shall be paid
- 3 out of the state highway fund."
- 4           Page 347, delete lines 18 through 37.
- 5           Page 348, delete lines 14 through 34.
- 6           Renumber all SECTIONS consecutively.  
(Reference is to HB 1001(ss) as printed June 3, 2002.)

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Representative Liggett